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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Moss et al.

App. No. . : 10/646,628  
Filed : August 22, 2003  
Title : MVA EXPRESSING MODIFIED HIV  
ENVELOPE, GAG, AND POL GENES  
Art Unit : 1645  
Examiner : Unknown

**ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE  
ACTION AND REVOCATION AND POWER OF ATTORNEY**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir or Madam:

The United States Department of Health and Human Services is assignee of an entire right, title and interest in and to the above-identified application, as shown by the assignment recorded on February 13, 2004, at Reel 014974, Frame 0687, in the patent assignment records of the U.S. Patent and Trademark Office. This recorded Assignment has been reviewed by the undersigned, who certifies that, to the best of his or her knowledge and belief, title is in the assignee.

The undersigned hereby revokes any previous Powers of Attorney in the subject application and appoints the registrants of National Institutes of Health Offices of Technology Transfer, 6011 Executive Boulevard, Suite 325, Rockville, MD 20852, telephone (301) 496-7056, and Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14<sup>th</sup> Floor, Irvine, CA 92614, telephone (949) 760-0404, **Customer No. 45,311** as its attorneys to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and their attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

The National Institutes of Health Office of Technology Transfer has been duly delegated responsibility for such patent matters under the authority of the Department of Health and Human

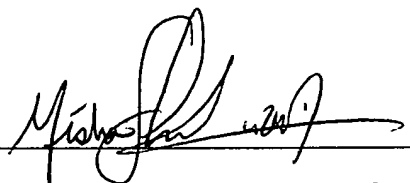
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Services Secretary Louis W. Sullivan's May 21, 1991 memorandum appearing in the Friday, June 7, 1991 Federal Register Notices at Vol. 56, No. 110, pp. 26418-26419. The undersigned is authorized to exercise such authority in this matter.

Please use Customer No. 45,311 for all communications.

Done on this 12 day of SEPTEMBER, 2004, at Rockville, Maryland.

UNITED STATES DEPARTMENT OF HEALTH  
AND HUMAN SERVICES

By: 

Printed Name: MICHAEL SAMILOVICH

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**DHHS CASE NO. E-115-2003/3-US-02**

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